

Appl. No. : 10/635,425
Filed : August 5, 2003

REMARKS

Please reconsider the above-captioned application in light of the above amendments and the following remarks. By this paper, Claim 1 has been amended, and new claims 10 through 18 have been added to more fully recite subject matter that Applicant considers to be the invention. New Claims 10 and 11 depend from Claim 1. New Claim 12 is an independent claim, from which Claims 13 to 18 depend.

Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected Claims 1 – 9 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,495,863 to Bergman in view of U.S. Patent No. 4,556,074 to Morin. Applicant respectfully traverses this rejection because these references, even if combined, do not teach or suggest all of the limitations of the claims. Additionally, the amendments to Claim 1 further distinguish the claim from the cited art.

Even if combined the Bergman and Morin references do not teach or suggest all of limitations of Claim 1. Bergman discloses a flosser having a flossing arm 8 with a J-shape (see FIG. 1; Column 3, line 59). Floss proceeds through a channel 18 to the arm 8, and then from the arm straight back to a winding gear 22. Morin teaches a flossing apparatus 20 having an elongated member 22 from which first and second protruding members 28, 30 depend, extending from the lower surface 24 of the member 22 (Column 3, lines 45 to 56). As clearly shown in the figures, particularly Figs. 1 and 2, members 28 and 30 are parallel to one another, and do not diverge. A band 48 is configured to hold a floss containing container 46. A strand 56 of floss extends along the top of member 22 and through holes 34, 36 in the members 28, 30. The fresh and used portions of the floss strand are disposed adjacent to one another above the elongated member 22, and there is no barrier between fresh and used floss.

Claim 1 recites, *inter alia*, a first elongate tine and a second elongate tine extending downwardly from the bottom of the head, the tines diverging relative to one another as they extend downwardly. Neither Bergman nor Morin, taken alone or in combination, disclose at least this feature of Claim 1.

Claim 1 further recites, *inter alia*, a supply path defined from the lock to the first tine, a return path defined from the second tine to the winding gear, and a septum separating at least a

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portion of the supply path from the return path so that the supply and return paths generally diverge from each other from the head toward the handle. Neither Bergman nor Morin, taken alone or combination, teach or suggest at least this limitation of Claim 1.

Since the cited references, taken alone or in combination, do not teach or suggest all of the limitations of Claim 1, Applicant respectfully requests the Examiner to withdraw the rejection of this claim.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

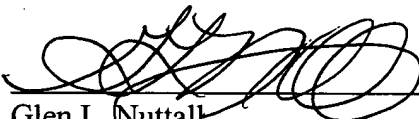
Respectfully submitted,

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Dated: _____

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By: _____



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